

FILED
U.S. DISTRICT COURT

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

DISTRICT OF UTAH

BY: DEPUTY CLERKSonia R. Petterson,
Plaintiff,

vs.

Melvin R. Kuhni,
Defendant.ORDER ADOPTING REPORT &
RECOMMENDATION

Case No. 2:08-cv-00956

Before the court is the Report and Recommendation issued on August 27, 2009 by United States Magistrate Judge Brooke C. Wells, recommending Plaintiff's case be dismissed for failure to state a claim on which relief may be granted. The Plaintiff filed an objection on September 14, 2009. Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the court overrules this objection because it does not address the merits of the Report and Recommendation. The Plaintiff's Complaint, which has not been amended, fails to state a claim on which relief can be granted. Accordingly, the court adopts the Report and Recommendation, and DISMISSES the Plaintiff's case without prejudice.

It is so ordered.

Dated this ___ day of September, 2009.

BY THE COURT

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive style with a large, stylized "D" and "B".

Dee Benson, Judge
United States District Court